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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention

Eighth periodic report of States parties due in 2015

Sri Lanka*

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Abbreviations

DV Act	Domestic Violence Act
EPF/ETF	Employees Provident Fund/Employees Trust Fund
GCE A/L	General Certificate in Education, Advanced Level
GCE O/L	General Certificate in Education, Ordinary Level
GoSL	Government of Sri Lanka
ILO	International Labour Organization
IOM	International Organization for Migration
LDO	Land Development Ordinance
LTTE	Liberation Tigers of Tamil Eelam
M/WA	Ministry of Women's Affairs
MCH	Maternal Child Health
NGO	Non-Governmental Organizations
NVQ	National Vocational Qualifier
SLBFE	Sri Lanka Bureau of Foreign Employment
UNICEF	United Nations Children's Education Fund
VAW	Violence against Women
WDO	Women Development Officers

Introduction

1. The Government of the Democratic Socialist Republic of Sri Lanka, (GoSL), is pleased to present its Eighth (8th) periodic report in terms of its obligation under Article 18 of the UN Convention on the Elimination of Discrimination Against Women, setting out developments, achievements and progress relevant to the period from 2011 to 2014.

2. Sri Lanka's previous reports were considered as follows-

Initial report — at the 6th session held in Vienna in March 1987

2nd periodic Report — at its 11th session in New York in January 1992

3rd and 4th combined periodic reports — at its 26th session in New York in January 2002

5th to 7th combined periodic reports — at its 48th session in Geneva in January 2011.

3. Sri Lanka is committed to taking consistent and sustainable pro-equality and pro-empowerment policies learning from experience and best practices elsewhere. As a result the country is making progress in achieving equality for women in all aspects including their empowerment, equal participation in the labour force and increased engagement in decision making processes. Sri Lanka is one of the few countries in Asia that has a sex ratio favourable to women. In this context, Sri Lanka's advancement in light of changing demographics will ultimately depend on its ability to enable women and young people to be active participants in the country's development agenda. This requires an increase in sustained investment targeted at gender equality and social protection and steps are being taken in this regard. Sri Lanka's most significant achievements have been in the health and education sectors. Due to consistent policies upholding free education and compulsory enrolment in school followed by successive government, women achieve a high level of education. This has propelled women to secure a higher status in society and in the workplace. Although representation is lagging in some areas such as in elected political bodies, women enjoy equal opportunities and choices, they remain politically active and their voices are heard at the highest level. Despite the low number of women political representatives, women's participation in the formulation of government policy is, holding public office and performing public functions at all levels of Government has increased. The Sri Lanka Administrative Service (SLAS) is the largest service in Public Service. The number of women in the SLAS increased from 7.65 per cent in 1979 to 35.4 per cent in 2007 and to 61.23 per cent as at 2014. In the Sri Lanka Planning Service, the percentage of women is 47.63 per cent, an increase from 28.8 per cent in 1993. In the Sri Lanka Foreign Service, the percentage of women is 47.5 per cent, an increase from 29.7 per cent in 1993. It is to be noted that when it comes to professional services, participation of women is increasing, but it is purely based on merit, not by quotas on the basis of gender. While active leadership roles in politics has not been a preferred choice of a majority of women, it is envisaged that with the conclusion of the conflict in 2009 and steps being taken to usher in electoral reforms etc., with greater democratic space through a series of constitutional and administrative measures (passage of the Right to Information Act, setting up of

independent commissions) participation of women in leading roles in politics may increase.

4. More recently, the first female President of Sri Lanka, Mrs. Chandrika Bandaranaike Kumaratunga was placed in charge of leading the country's reconciliation office named the Office of National Unity which will undoubtedly assure greater participation of women in reconciliation and recognize their role in the process.

5. In preparation of this report, the Ministry of Women's Affairs (M/WA), (the subject specific line Ministry established at Cabinet level during the period under reference), consulted all relevant line Ministries and Government Agencies, and obtained feedback from International Organizations represented in Sri Lanka including UNDP and ILO. Discussions were also held with women's civil society organizations and human rights organizations including minority communities regarding women's issues through several sessions held outside Colombo including in the former conflict affected Northern Province. Inter-ministerial meetings were held in Colombo to consult relevant line ministries, a consultative meeting for civil society representatives was held in Colombo with the participation of 23 civil society organizations to obtain their feedback on the implementation of the Convention. Civil society organizations that participated in this meeting included: Women in Need (WIN), *Sarvodaya* Women's Movement, Centre for Women's Research (CENWOR), Plan Sri Lanka, FOKUS Women, *Mahila Sangam Samithiya*, Media Collective and CARE International Sri Lanka. Two regional-level meetings were held in Kurunegala (North Western Province) and Kilinochchi (Northern Province) to consult representatives of women's organizations at local level.

6. **Overview of the main socioeconomic indicators**

Population-

Sri Lanka's population as at mid-year 2013 was 20,483,000.

The gender distribution: 51.5 per cent women; 48.5 per cent men.

The population growth rate: 0.8 per cent.

Age distribution:

0-14 yrs: 5,171

15-64 yrs: 13,707

65 years and over: 1,605

Population density (2013): 327 persons per Sq. Km

Literacy –

The Literacy rate (as at 2012-latest records) recorded an average of 95.6 per cent with male literacy being 96.8 per cent and female literacy at 94.6 per cent.

Life expectancy-

The expectation of life at birth as at 2010: 75 years.

Infant mortality-

[per thousand (1000) live births in 2012]

Neonatal : 6.8

Infant : 9.2

Under-five:10.4

Maternal mortality-

Ratio per 100,000 live births: 33 in 2010 (this was closer to 100 in 1990).[1]

Education-

Universal primary education has reached 99.7 per cent (2014).

The students who start grade 1reaching grade 5is 100 per cent (2014).

Health-

Maternal Mortality rate -- 33.3 per 100,000 live births (2010)[2]

Neonatal, infant and under five mortality - 6.8, 9.2 and10.4 per 1000 live births respectively (2012)[3]

Delivery at a health facility — 98.1 per cent (rural sector women); 98.6 per cent (urban sector women); 94.3 per cent (estate sector women)

Part I
Responses to concluding comments of the Committee consequent to the consideration of the fifth, sixth and seventh periodic reports

Actions taken and results achieved in respect of principle areas of concern and recommendations of the Committee

[ref. Paragraph 'c' of the concluding observations (CEDAW/C/LKA/CO/7)]

Legal status of the Convention [Paragraph 13]

Incorporation of the Convention into the domestic legal system

7. Sri Lanka follows the dualist approach in international law. Thereby Sri Lanka's obligations under International treaties are facilitated in terms of the provisions of the Constitution, domestic legislation, subsidiary legislation, and regulations under the principal Statutes as well as several procedural laws.

8. Sri Lanka's approach to incorporating statutory provisions within its legal system to honour its obligations under International Conventions is to incorporate such provisions only where there is a gap.

9. As has been reported to the Committee previously, Sri Lanka's position is that it is not necessary to have a single subject or specific piece of legislation to

[1] Millennium Development Country Report 2014 published by United Nations Sri Lanka — 2015. Page 102.

[2] Millennium Development Country Report 2014 published by United Nations Sri Lanka — 2015. Page 103.

[3] Family Health Bureau, Sri Lanka.

incorporate Convention obligations into the domestic legal system and that there are adequate provisions in several statutes to honour these obligations (e.g. The Constitution of Sri Lanka, Penal Code, Citizenship Act, Human Rights Commission of Sri Lanka Act, Prevention of Domestic Violence Act).

10. Sri Lanka wishes to emphasize that Article 12 (2) of the Constitution of Sri Lanka recognizes the right to equality before the law which provides that "*No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds*". Furthermore, Article 12 (4) of the Constitution states that nothing in Article 12 would prevent special provisions being made by law for the advancement of women, children and disabled persons. This is a right that is justiciable against executive and administrative actions in the Supreme Court which is the highest court in the country. Therefore, any form of discrimination against women can be challenged under the supervisions entrenched in the supreme legal instrument of the country, even in the absence of any separate legal provision. There is no bar to seek redress in a lower court in the case of actions of non-state actors.

11. The Supreme Court has time and again exercised its jurisdiction, in the absence of written law, directly relying on the provisions of international Conventions to give purposeful meaning to the provisions of the Constitution, and other applicable law, so as to ensure that the people in Sri Lanka have an effective remedy in respect of any alleged infringement of rights recognized by the Constitution. In arriving at these determinations the Court has recognized the need to give consideration to international instruments to which Sri Lanka is a State Party and the obligations arising there under, even in instances where there is a lacuna in domestic legislation.[4]

12. As has been elaborated in previous Country Reports, there is adequate provision within the existing legal regime of Sri Lanka to accord statutory recognition to the right to equality and to recognize thereby the right of women not to be discriminated on the grounds of gender all of which are supported by pronouncements of the Supreme Court. As is clear, the absence of a Women's Rights Bill and the incorporation therein of the principle of equality does not detract from the right that is already recognized in the Constitution of Sri Lanka.

Prohibition of discrimination against women [Paragraph 15]

Incorporate the principle of equality into domestic legislation such as the Women's Rights Bill

13. This matter has been clarified above. As stated, Article 12 (a) of the Constitution of Sri Lanka, the highest law of the land, clearly prohibits any discrimination of persons, on the grounds of sex.

Ensure state responsibility for acts of discrimination by public and private actors

14. The responsibility of state actors has been amply explained in previous reports. A special procedure is provided for in the Constitution enabling access to the Supreme Court, the highest court of the land, to seek redress against violation of fundamental rights by administrative and executive action.

[4] Weerawansa vs. The Attorney General and Others (2000) 1 Sri LR 387.

15. Sri Lanka has already reported on accountability for acts of discrimination by private actors in its 3rd and 4th combined Periodic Report.

Discriminatory laws [Paragraph 17]

Reform of Customary law

16. The personal laws of Sri Lanka contain provisions that are deeply rooted in custom. As has been stated in previous Periodic Reports proposals for reform of these laws are welcome when initiated by the respective communities. This approach has been endorsed by the Supreme Court as well where, in giving its opinion[5] on a matter referred to that court, the legitimacy of the continued validity of certain personal laws was examined by the court in the light of the allegation made that the continued validity of certain personal laws under Article 16(1) was in consistent with the Constitution. The Supreme Court opined that:

> "*These are customary and special laws that are deeply seated in the social milieu of the country. It is to be noted that Article 27 of the International Covenant on Civil and Political Rights makes a specific reservation that in states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right in community with other members of their group to enjoy their own culture, to profess and practice their own religion or also use their own language*"

17. The Supreme Court took the view that it could not be contended that the provisions of Article16(1) of the Constitution that provides for the continuance in force of the already operative law could be considered to be inconsistent with the Covenant only on the ground that there are certain aspects of Personal Laws which may discriminate against women. The matter of Personal Laws is one of great sensitivity. The Covenant should not be considered as an instrument which warrants the amendment of such Personal Laws. If at all there should be any amendment, such request should emerge from the particular sector governed by the particular Personal Law.

18. Sri Lanka's personal laws are enriched by history, culture and sacred beliefs of the people who are subject to such laws. Accordingly, the Government of Sri Lanka is of the view that it is essential to ensure that such traditional rights of those persons are protected and guarantee them to enjoy such rights in accordance with their religion and culture, and any amendment to personal laws are in compliance of this aspect. Personal and customary laws of Sri Lanka have its roots even before the British gave statutory effect to such laws by way of the Proclamation of 23rdSeptember 1799.Thus Sri Lanka's legal system is a unique blend of customary and personal laws which are constantly being reviewed, but the call for change in any laws which are seen to be discriminatory require a circumspect approach from the legislators, in the long term, out of necessity, lest the communities to which the personal and customary laws apply consider it intrusive and a violation of their community rights.

19. As has also been stated in previous Reports, although there is no opportunity for post enactment judicial review of legislation, discriminatory laws have in fact

[5] S.C. Ref. No. 01/2008.

been amended (e.g. Citizenship law, Criminal Procedure Code) and continue to be addressed even without statutory compulsion.

20. The plurality of personal laws is not seen as an issue.

Expedite amendment to Land Development Ordinance

21. A Bill to amend the Land Development Ordinance to recognize equal rights to succession to land was submitted to the Parliament but was required to be referred to Provincial Councils in compliance with Constitutional requirements and is currently under review.

Involvement of women in the law reform process

22. There is no impediment whatsoever in the involvement of women in the law making process and in fact women have been and continue to be involved.

National machinery for the advancement of Women [Paragraph 19]

23. The Bill to establish the National Commission on Women was presented to Cabinet and is currently under review.

Temporary special measures [Paragraph 21]

24. Article 12 (4) of the Constitution recognizes the legitimacy of introducing special measures for the advancement of women, children and disabled persons. No temporary special measures have been introduced since the approach has been to integrate necessary interventions into the national policy which is an evolving process. Successive governments in Sri Lanka continue to allocate resources in relation to the measures taken for the advancement of women; e.g. the interim budget for year 2015 passed in January 2015 after the election of the new President on 8th January, introduced a system of paying of Rs. 20,000.00 worth of nutrition foods recommended by doctors to all expectant mothers in the country during the last 6 months of the pregnancy period and first four months after the confinement. This is with the aim of addressing issues related to anaemia, low birth weight and malnutrition that impact the mother as well as the baby.

Stereotypes and discriminatory practices [Paragraph 23]

Put in place a comprehensive strategy to eliminate practices and stereotypes that discriminate against women

25. Gender role stereotyping continues to decline and is not a serious concern or a subject which is widely discussed in Sri Lanka. More women continue to enter employment areas that were hitherto either dominated by men or were the exclusive domain of men, including the Judiciary, Company Directorships, Banking and Engineering fields. Senior government positions including the office of the Chief Justice, the Attorney General, Chairperson of the University Grants Commission, Secretaries to Ministries including the Ministry of Foreign Affairs and the Ministry of Justice have been / or are being held by female government officers. There is also a significant development in the private sector, where female employees continue to serve in top posts including as company Chief Executive Officers and as members of Boards of Directors. Consistent education policies that have provided freedom of

choice and opportunities to women equal with those available to men have paved the way for such achievements.

Violence Against Women (VAW) [Paragraph 25]

The Law-

26. All acts of violence against women are criminalized. Sri Lanka's legal regime in this regard is comprehensive. The implementation mechanisms have also been strengthened with a network of State Institutions that reach the grass roots level vested with tasks to address violence issues. These include at the base level, Women Development Officers (WDO's) and Counselling Assistants who have been appointed since 2005 to work at the administrative division level, i.e. the lowest level of State administration.

27. The Assistance to and Protection of Victims of Crime and Witnesses Act No. 04 of 2015 was enacted by the Parliament in February 2015 and steps are underway to implement its provisions, the Act inter-alia:

- sets out rights and entitlements of victims of crime and witnesses and the protection and promotion of such rights and entitlements;
- seeks to give effect to appropriate International norms, standards and best practices relating to the protection of victims of crime and witnesses;
- provides for the establishment of The National Authority for the Protection of Victims of Crime and Witnesses;
- provides for the Victims of Crime and Witnesses Assistance and Protection Division of the Sri Lanka Police Department;
- provides for the payment of compensation to victims and witnesses of crimes and provides for the establishment of the Victims of Crime and Witnesses Assistance and Protection Fund.

Implementation-

28. Efforts to improve implementation continue, through programmes for all partners including the Police, members of the judiciary, gender focal points in Government Ministries, Medical practitioners and Lawyers.

29. Sensitization programmes also continue to be held for all stakeholders including school children. Docudramas on VAW including on the prevention of workplace harassment have been produced.

30. Counselling programmes have been conducted for Counselling Assistants and a one year Diploma course in Counselling has been introduced for WDOs and Counselling Assistants. The number of Women and Children Police Help Desks has been increased to provide specialized services to a larger number of victims. The Ministry of Women's Affairs (M/WA) provided funds to construct new buildings for 26 child and women's bureau units in police stations and provided necessary equipment to address diverse issues on violence against women.

31. A toll free helpline 1938 has been setup under the National Committee on Women to receive complaints and refer them to relevant service providers. An extensive state system of service providers have been placed at Divisional

Secretariat level, comprising of 05 key government officers working on women and children's matters who liaise with other relevant agencies. State funding for the Legal Aid Commission was increased to 500 million for provision of legal aid to needy women.

32. One hundred and Fifty (150) Counselling Assistants have been recruited by the M/WA and Counselling training programmes have been conducted for them and a one year Diploma course in Counselling has been introduced for WDOs and Counselling Assistants.

33. The M/WA has established Children and Women Units in 198 out of 351 Divisions under the close supervision and coordination of Divisional Secretaries, in order to implement the Government's programmes on Children and Women. The Unit consists of Women Development Officers (WDOs), Child Rights Promotion Officers, Relief Sister, Early Childhood Development Assistant and Assistant Child Protection officers.

Other matters

34. The State institutions available for women to access justice including the State Legal Aid Commission provide a comprehensive service and are supported by several Non-Governmental Organizations that offer support to women victims.

35. Although the act of sexual intercourse without the consent of the wife is by itself not a crime under the existing law, where such an act involves violence to such a degree that the violence amounts to a crime, the act of violence is punishable under the Penal Code. In such an event, relief can also be sought under the Prevention of Domestic Violence Act (DV Act).

36. The provisions of the Penal Code (sections 365 and 365A) which criminalize sexual activity between two consenting adults of the same sex does not detract from the Constitutional guarantee under Article 12 of the Constitution on protection from discrimination on the grounds of sexual orientation or gender identity.

37. Programmes on strengthening enforcement of law and access to justice and social integration have been implemented by empowering public sector and private sector stake holders. Billboards have been erected in all the Districts depicting messages on ending violence against women and children. "*Men too can make a difference on ending violence against women*" is a theme taken up in all awareness raising programmes.

38. The M/WA has implemented the following programmes in line with the Prevention of Domestic Violence Action Plan-

- infrastructure support services were provided
- health service providers and law enforcement officers were trained on the DV Act.
- a shelter was established for victims of Gender Based Violence. The shelter was setup in 2012 and has provided services for nearly 50 women. The Ministry has also allocated funds to put up shelters in the North and East
- 12 counselling centres in selected districts were established. Counselling services have been extended to grass roots level enabling affected women to access services effectively.

39. Funds have been provided in 2014 under the 700 million special programme for the prevention of child abuse and violence against women.

40. The number of incidents reported has increased in the year 2013. The awareness creation programmes conducted by the state and civil society organizations has helped to increase the reporting of incidents throughout the island. For example the number of reported domestic violence cases has increased from 420 in 2012 to 569 in 2013.

Table 1
Minor offences

Year	*Sexual abuse*	*Assault*	*Criminal intimidation*	*Abortion*	*Media publicity*	*Prostitution*	*Other offences*	*Total*
2012	1 922	2 923	285	46	3	264	230	5 673
2013	2 112	3 477	324	68	2	303	246	6 532

Table 2
Major offences

Year	*Murder*	*Attempted murder*	*Grievous hurt*	*Trafficking*	*Abduction*	*Rape*	*Unnatural offences*	*Incest*	*Grave sexual abuse*	*Other offences*	*Total*
2012	100	20	364	13	82	313	4	9	43	26	974
2013	79	23	296	7	73	336	6	12	18	14	864

Source: Police Department

In the aftermath of the conflict (in May 2009), several measures have been taken by the Government in response to allegations of violence against women, including in the Northern and Eastern Provinces to address the issues related to women and children as follows:

- **Staffing female officers**: Women and Children's Police Desks have been established in Police Stations, staffed with female officers, in the Northern and the Eastern Provinces. Specially trained police officers function at such desks which provide an enabling and protective environment for children, women and girls and their parents to report incidents of abuse and exploitation. This network is also linked to the National Child Protection Authority. Sexual and gender-based violence help desks are located in hospitals in the districts affected by the conflict.
- **Tamil speaking officers**: Currently, there are 2,207 police officers who speak Tamil, working in the North and an additional 2,326 Tamil speaking police officers are serving in the Sri Lanka Police as of end of 2014.
- **Helping women & children**: In the Northern Province, "Children's and Women's Development Units" are in operation. Care International supports the units in Kilinochchi and Mullaitivu. Women Development Officers, Counselling Assistants, and Psychosocial and Child Protection Assistants have been fully trained and provided resources to ensure that they effectively reach out to target groups, including those in remote areas.

- **Legal aid for single women household**: According to the 2012 census of population and housing there are 716,703 widows in Sri Lanka and 1,270,293 female headed households. Single women households and war widows are especially catered to by Legal Aid and mediation mechanisms in the North and East. These mechanisms have undergone continuous improvement since 2010 providing awareness. Mobile public services are provided in collaboration with NGOs. Also, more than 70 Legal Aid Centres function island-wide to assist people in need of financial aid to litigate cases or defend themselves in Court.

Trafficking and exploitation of prostitution [Paragraph 27]

41. The offence of trafficking in persons as contained in the Penal Code is a new offence introduced in 2006.

42. Since 2009, 12 indictments have been served in respect of the offence of trafficking and 03 convictions have been secured.[6] There were no acquittals during this period. Violation of the offences of procurement and trafficking during the period 2011-2014 have been dealt with, as follows:[7]

Table 3
Trafficking offences

Year	*Reported Cases*	*Prosecutions*	*Investigations Pending*
2011	20	09	11
2012	28	15	13
2013	06	02	04
2014 (up to September)	06	04	02
Total	**60**	**30**	**30**

43. The numbers of female victims of trafficking as reported by all police divisions was 29/44 in 2011, 02/06 in 2012, none in 2013 and 04/12 in 2014.[8] The above data does not indicate an increase in trafficking offences, but indicates a decline in the number of reported cases on procurement and trafficking, as well as in the number of trafficking victims in 2014 compared with 2011. Therefore, Sri Lanka appears to be on a positive track where combating trafficking is concerned.

Ensuring the prosecution and punishment of individuals involved in trafficking

44. All reported cases of trafficking are investigated and prosecuted. It is significant that there have been no acquittals. The number of prosecutions for the specific offence of trafficking does not necessarily suggest that the rate of prosecutions is low, but may be explained by several factors. Though original reports of incidents may be classified as trafficking, during the course of investigations, it could transpire that the nature of the incidents warrant framing of charges for the offences of procuration or sexual exploitation of children. One of the

[6] Attorney General's Department, Sri Lanka.
[7] Department of Police, Sri Lanka.
[8] Criminal Records Division of the Department of Police, Sri Lanka.

challenges in prosecuting is that the offence of trafficking is more difficult to prove and, therefore, in the interest of securing a successful prosecution and a conviction, charges are framed for those connected, but different offences. It is relevant to note that, prior to the amendment to the Penal Code in 2006 which introduced the separate offence of trafficking, incidents of trafficking were charged under the offence of procuration or under the Brothels Ordinance. Therefore, while the fact that some cases involving trafficking may be filed under other penal provisions should not be disregarded, it is hoped that continued awareness and training programs for law enforcement authorities such as the police, will increase charges filed under the specific offence of trafficking in persons. One of the other challenges in securing prosecutions and convictions for trafficking offenders is that not all cases are reported or evidence is sometimes scarce, where victims are dissuaded from complaining in fear of reprisals. The recent establishment of a special shelter for female victims of trafficking under the M/WA is expected to provide better protection to victims, facilitating an environment more conducive to effective prosecutions. The enactment of the *Assistance to and Protection of Victims of Crime and Witnesses Act* is also expected to encourage reporting of incidents and giving of evidence, thus having the potential to increase the number of prosecutions and convictions. In addition, the Police Department is in the process of finalizing a circular requiring the police divisions to submit monthly reports of trafficking offences and victims to the Criminal Records Division, as well as requiring specific reference to the offence of trafficking if same is discovered in the course of investigations into related crimes such as child abuse, before forwarding such cases to the Attorney General's Department.

45. A survey on returned and refused migrants is being conducted at the Bandaranaike International Airport by the relevant Governmental functionaries to identify victims and offenders of trafficking and channel them to the relevant authorities.

46. Information dissemination and training on anti-trafficking legislation has taken place on many fronts by a variety of bodies.

Attorney General's Department

47. Since 2009, the Attorney General's Department has enhanced its focus on prosecutions for the offence of trafficking. Two officers of the Department are members of the National Anti-Human Trafficking Task Force, the necessary cooperation and coordination is maintained with all authorities combating trafficking. The Department is also in the process of developing a database to record the number of prosecutions and convictions in Trafficking. The officers of the criminal division in the Department receive regular training on prosecutions in this area, and also act as resource persons at workshops organized to train judges as well as personnel of other relevant institutions such as the Police Department and the Immigration and Emigration Department.

Standard Operating Procedures (SOP) on the Identification, Protection and Referral of Victims of Human Trafficking

48. The SOP developed by the National Anti-Human Trafficking Task Force led by the Ministry of Justice in collaboration with IOM in Sri Lanka was launched in March 2015. The SOP is a step-by-step guide to all agencies involved in the

identification and provision of assistance and protection to victims of human trafficking. The development of the SOP with a special focus on rights-based approach is a significant effort to empower the victims of human trafficking and signifies the commitment of the Government to ensure identification and protection of victims of human trafficking.

Counter-Trafficking National Database Unit

49. The Counter-Trafficking National Database Unit under the Police Criminal Records Division was established to serve as a central depositary of island-wide reports on trafficking in persons. Accordingly, the Unit has formulated an incident reporting form which has been sent out to all police divisions.

National Counter-Trafficking Research Centre

50. Several training activities have been carried out by the National Counter-Trafficking Research Centre at the Department of Immigration and Emigration. These activities during the reporting period were as follows:

- 2011:- in collaboration with IOM, 50 immigration officers were trained on aspects of combating trafficking. These included apprehension of traffickers, identification of victims and coordination among stakeholders. As an integral part of this programme, 16 officers were trained on carrying out Border Surveillance Operations.
- 2012:- The Centre coordinated the following programmes:
    - An ILO-sponsored Diploma Program on *Migration Studies* conducted in partnership with the Bandaranaike Centre for International Studies, at which 21 immigration officers successfully completed the diploma course.
    - 03 ILO-sponsored one-day workshops on *Laws, Policies, Regulations, Promotion of Regular Migration and Prevention of Trafficking in Persons*, which were also sponsored by the ILO, where 100 immigration officers participated.
    - A training program on *Migration Intelligence Analysis and Reporting* conducted by the Australian Government, at which 16 officers attached to the Border Surveillance Unit were trained.
- 2014:- the Centre coordinated 02 IOM sponsored one-day workshops on *Combating Human Trafficking*, with 54 immigration officers participating.

INGO activities

51. The relevant Government departments have received significant support from IOM and ILO who have been instrumental in supporting many initiatives towards information dissemination and training on anti-trafficking measures. These are:

- Capacity-building programmes for law enforcement officers and officers of the Attorney General's Department
- Awareness campaigns for the public regarding the risks and consequences of human trafficking as a method of prevention.

- Information campaigns for the public on countering irregular migration including trafficking.
- Judicial Colloquiums on the international legal developments on the subject were organized by the ILO.
- Development of Resource Manuals on the subject for the State Prosecutors in partnership with the Attorney General's Department, as well as for the police.
- Establishment of Community Vigilance Groups in selected districts and training them to perform Watch Dog functions, as well as to monitor and investigate cases of trafficking at the village level. Consequently, several cases, victims and offenders were identified and channelled to the relevant authorities including the Police and the National Child Protection Authority. Linkages were established between these community groups and the *Grama Niladhari* (Village Officer-appointed by the Government) divisions and the law enforcement authorities to ensure close coordination.

52. Having been placed in the Tier 2 Watch List for 4 consecutive years from 2007, Sri Lanka was upgraded to Tier 2 since 2011 in the annual TIP reports released by the U.S. State Department. Therefore, Sri Lanka is currently recognized as a country whose government is making significant efforts to comply with the minimum standards to combat trafficking.

Protective measures and safe homes for female victims of trafficking, including recovery measures and measures taken to address stigmatization

53. The M/WA established a shelter for female victims of trafficking in 2013. The shelter can accommodate up to 8 persons.

Measures to combat trafficking through increased international, regional and bilateral cooperation with countries of origin and transit

54. Legal and policy developments in the area of foreign employment seek to minimize the potential for trafficking. Statutory provisions contained in the Sri Lanka Bureau of Foreign Employment Act while ensuring that foreign employment is regulated, also address prevention of trafficking. For instance, all foreign employment agencies are required to be licensed and, non-compliance thereof is a penal offence. (sec. 24) Recruitment cannot be done without the approval of the Sri Lanka Bureau of Foreign Employment (SLBFE) (sec.37). The contract between the employer abroad and the local employee is required to be certified by the SLBFE and the certified contract must be registered with the Ministry of Labour of the employer's country (sec.44). The terms of the contract are explained to the worker and the signing of the contract takes place in the presence of officials of the SLBFE. The SLBFE also has the power to inquire into complaints made by persons recruited for foreign employment (sec.51). Furthermore, by way of a decision of the Cabinet of Ministers in 2011, a minimum age of 21 years was introduced for female domestic employees sent abroad. In 2013, this age was raised to 25 and 23 years in respect of employment in the Kingdom of Saudi Arabia and other Middle Eastern countries respectively.

55. The SLBFE also carries out training and awareness programmes for foreign employment agents and public officers, and provides legal assistance to victimized

employees through the legal division of the SLBFE and, where necessary, the relevant Embassies.

56. Sri Lanka in its current capacity as the Chair of the 'Colombo Process', a Regional Consultative Process on the management of overseas employment and contractual labour for countries of origins in Asia, consisting 11 countries, has been working closely with the IOM and other partners, in order to foster 'ethical labour recruitment practices', 'pre-departure orientation and empowerment', and 'skills and qualification recognition', as key priorities, to ensure that contractual labour migration remains a win-win process, for labour sending and receiving countries.

Taking into account the Recommended Principles on Human Rights and Human Trafficking of the OHCHR in the design of policies to combat trafficking

57. These principles continue to guide the Sri Lankan government in its policy response to trafficking. Sri Lanka's firm commitment to combat trafficking is evident from the multi-pronged activities described above which are all aimed at preventing trafficking and prosecuting and punishing offenders and protecting victims.

Ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Palermo Protocol), supplementing the United Nations Convention against Transnational Organized Crime.

58. The consultation process for the ratification of the Protocol is underway.

Arrest by the police of sex workers on the street, under the provisions of the Vagrants Ordinance, No.4 of 1841

59. Quantitative data on the number of island wide raids conducted during the period 2011-2014 under section 7 of the Vagrants Ordinance indicates that the number of raids is evidently more in certain main cities and tourist areas. There is no correlation between these data and quantitative data on the number of arrests made. While both female and male sex workers are arrested under section 7, the numbers in the first category constitute over 90 per cent of all arrests. Since (i) there is an estimated number of over 40,000 commercial sex workers in Sri Lanka compared with the number of arrests, (ii) there is no discernible increase in the number of arrests over the years and (iii) there is little or no difference in the ratio of arrests to prosecutions/convictions, it is clear that arrests by police are not done in an arbitrary manner. Even in the external review on Sri Lanka's response to HIV and STIs (2011), it was noted that there is an effort through education of the police to reduce harassment and arbitrary arrest of sex workers under the vagrancy law.

Participation in political and public life [Paragraph 31]

Measures to increase representation in political and public life

60. A Women's Caucus was established in Parliament in 2006 comprising women Parliamentarians. It is a group that works towards promoting women's political participation and safeguarding women's rights and gender equality. The Work Plan of the Caucus includes proposals to:

a) make it mandatory to have a minimum of 25 per cent women's representation in nominations to Local Government Authorities.

b) increase women's contribution through representation in the political process with a minimum of 30 per cent increase in female representation in Parliament, Provincial Councils and Local Government bodies.

61. Most political parties have their own women's wing which mobilizes the female constituents during election time and recruits women to the party.

62. The Local Authority Elections (Amendment) Act No. 22 of 2012 introduced a new section 28(2B) to provide that 25 per cent of the nominees for an election *may* consist of women and youth. The use of the term "*may*" however, although drawing attention in a statute itself to the need for due representation of women and youth, does not recognize such representation as being mandatory.

Pursue sustained policies to promote representation of women in decision making in all areas of public, political and professional life

63. Since 2012 the M/WA has been conducting a one year Diploma course on political participation of women at grass roots level to motivate women to enter politics. The training programmes have been completed covering nearly 200 women leaders including Tamil women. Many other advocacy, awareness-raising and capacity building programmes have been conducted to encourage women. However, the number of women elected to Parliament and to Provincial Councils has not increased.

64. A recent survey[9] indicates that women are not interested in contesting elections even if given an opportunity and that politics is an area which is better suited for men. It is a fact that the current electoral system based on proportional representation poses challenges that are difficult for women to overcome. Public criticism over the existing electoral system based on proportional representation has led to discussions on potential electoral reforms. The proposed mixed electoral system is expected to reduce undue competition among contesters which would eventually encourage more women participation in politics. The conclusion of the conflict in 2009 with the defeat of terrorism and measures taken by the Government since the election of the new President, Maithripala Sirisena on 8th January 2015 for strengthening democracy, good governance and the rule of law legislative measures that would ensure the independence of institutions (including the Elections, Human Rights, Judicial Services, Police Commissions) is likely to gradually increase women's participation in active politics. However, women participate very actively in political activities such as attending meetings, rallies, canvassing, organizing pocket meetings and a large majority have also shown to have used their franchise with great enthusiasm.

65. Despite the absence of women in large numbers as elected representatives of the people, women's access to power and decision making is on the increase. There has been a steady increase of women in the Public Service and a steady progression of women in senior positions. The number of women Judges in the higher courts has also increased. Appointments in the Public service are based on merit and seniority. Please see paragraph 3 above.

[9] Survey conducted by the International Centre for Ethnic Studies (2008).

66. In the field of law, there is a significant number of women in private practice as well as in the State departments including in senior positions in the Attorney General's department. During the period under review, the following were achieved:

a) The first appointment of a female Attorney General in 2011;

ii) four women appointed to the apex court in the country, the Supreme Court of Sri Lanka, which has a total cadre of eleven;

iii) two women appointed as Solicitor General;

iv) two women appointed to the Court of Appeal which, in the hierarchy of courts, is a Superior Court below the Supreme Court.

Education [Paragraph 33]

Strengthen efforts to provide quality education for girls at each level of the education system and each ethnic group

67. Sri Lanka has made progress in achieving gender equality at all levels of education. The ratio of girls to boys 'enrolment has increased at all levels, and has reached the target of 100 per cent in secondary schools.[10]

68. The provision of quality education for girls has been deeply entrenched in the education policies of the country over a considerable period. The achievements of girls and women, stand testimony to this fact.

69. Children of parents employed in the plantation sector (persons of Indian origin who were brought into Sri Lanka, then Ceylon, during colonial rule to work in tea plantation) who have had a long history of educational disadvantage, now have a high participation rate of 95 per cent in primary education. In the conflict affected North and Eastern provinces, schools have been re-opened since the conclusion of the conflict in 2009 and children including former child combatants recruited by the terrorist group (LTTE) are attending school. The rehabilitation process to increase facilities is ongoing. Female ex-child combatants whose education was disrupted by the LTTE have sat for both General Certificate of Education (GCE) Ordinary Level (O/L) and Advance Level (A/L) examinations conducted by the Department of Examination of Sri Lanka since 2009. The socio-cultural constraints of Muslim children which led to early withdrawal from school have declined but is still evident in pockets in the North West and Eastern provinces.

Continue efforts to overcome gender role stereotyping in the formal education

70. Sri Lanka's educational policies provide ample opportunities for women to pursue fields of their choice. Opportunities in the vocational training sector too are open to all irrespective of gender.

71. The Asian Development Bank Education Sector Development Programme (2013-2018) in Sri Lanka has its Gender Action Plan which aims to increase the participation of girls in the new Technology stream in Grades 12 and 13, develop gender sensitive training modules and capacity development plans for teachers, especially in non-traditional fields such as technology.

[10] Millennium Development Country Report 2014 published by United Nations, Sri Lanka — 2015. Page 81.

72. In Universities, female students are a majority in most streams — Arts 76.7 per cent; Education 85.2 per cent; Law 50.9 per cent ; Management and Commerce 55.1 per cent; Science 58.5 per cent; Agriculture 61.9 per cent; Medicine 55.8 per cent; Dental Surgery 63.5 per cent; Veterinary medicine 64.4 per cent; Architecture 51.7 per cent; Indigenous medicine 76.6 per cent Para medical 78.1 per cent, totalling to 64 per cent women in these courses. It may be noted that these courses include the sciences. It is only in the Information Technology and Engineering courses that men are in the majority, i.e.47.9 per cent of female students in Information Technology and 24 per cent of female students in Engineering. Given that women are assured complete freedom of choice, the lesser percentage of women in Engineering is not a cause for intervention.

Employment [Paragraph 35]

Ensure equal opportunities to men and women in the formal labour market through temporary special measures aimed at eliminating both horizontal and vertical occupational segregation

73. The Government recognizes that inclusive development rest on ensuring equality of opportunity in work. The government's vision for development includes employment creation as a key factor based on knowledge and innovation economy. The main state banks, the Bank of Ceylon, Peoples' Bank and the Regional Development Bank have given loans to over 130,000 women entrepreneurs across the country.

Women in the Labour Force

74. The economically active population of Sri Lanka was estimated to be 8.8 million in 2014 of which 34.7 per cent were women and 65.3 per cent were men. Women comprised 75.1 per cent and men comprised 24.9 per cent of the economically inactive population during this period. Women's participation in the labour force over the last two decades has remained below 40, compared to that of men which has been over 70.[11]

Table 4
Labour Force Participation Rate (LFPR)

Year	*LFPR[12]- Female %*
*2014 (2nd Quarter)	34.7
*2010	34.4
*2006	39.5
**2003	24.0
**1996/97	27.3

* Dept. of Census and Statistics (2014). ** Central Bank (2011).[13]

[11] Department of Census and Statistics (2014) Sri Lanka. Labour Force and Status of Household Population under 15 years of Age and Over.

[12] Labour Force Participation Rate.

[13] Central Bank of Sri Lanka (2011).Sri Lanka Socio-economic Data Vol. XXXXV.

75. Of the economically active population, women comprised 32.9 per cent in the urban sector, 34.7 per cent in the rural sector and 42.4 per cent in the estate sector. In more detail, women comprise 31.5 per cent of the labour force in the agricultural sector, 26.4 per cent in the industrial sector and 42.1 per cent of the services sector.[14] *More details are set out under in Part 2 of this report, under Article 11.*

Elaborate a Plan of Action for the protection of women working in the informal sector including women's access to social security and other benefits

76. Funds have been allocated for a self-loan scheme for women in 2014 Budget enabling women to obtain a loan up to Rs. 250,000 for self-employment. A number of micro credit programmes have been introduced for women by the Government through state banks who may not have earlier been involved in market related work. The Sri Lanka Women's Bureau programme 2011-2014 has included war widows and female headed families as a specific category of vulnerable women in the post war context requiring urgent economic support. Programmes have included support for livestock and animal husbandry, revolving credit schemes for income generation, technical training for women entrepreneurs, economic employment for potential migrant workers and fisheries sector women's development. The Ministry of Labour has recognized the need to incorporate ILO convention 1889, which specifically addresses the right of domestic workers and has initiated discussions with Trade Unions and lobby groups, regarding the regularization of employment of domestic workers.

As 23.4 per cent of households are headed by women, the Government, last month (March 2015) set up a National Committee on Female-Headed Households and a National Centre for Female Headed Households enabling female headed households to integrate with the workforce and access sustainable livelihoods.

More details of programmes initiated for women are set out under Chapter 2 of this Report under Article 14 - "Rural Women".

Report on legislative and other measures taken to protect women from sexual harassment in the workplace

77. As has been stated in previous Reports, Sexual Harassment was criminalized as an offence under the Penal Code in 1995. In 2014 the M/WA initiated discussions with all other government Ministries to establish committees to address issues related to sexual harassment under the purview of an Additional Secretary of each Ministry to provide awareness to the staff, to motivate them to report such cases and to carry out investigations.

78. The Ministry of Labour with the ILO and the Employers Federation of Ceylon (EFC) worked together to bring about policies and a code of conduct and guidelines for the prevention of and to respond to sexual harassment at the workplace during 2012-2014.

79. The Ministry of Labour has been conducting awareness raising programmes on prevention of sexual harassment at the workplace for its own employees while EFC has conducted similar programmes with private sector institutions.

[14] Department of Census and Statistics (2014).Distribution of Employed Population by Employment Sector (2nd Quarter).Table 7.

Health [Paragraph 37]

Ensure that family planning and reproductive health education are widely promoted, in particular for internally displaced women and girls as well as women working in less developed and conflict-affected areas, with special attention to the prevention of early pregnancies of girls and the control of sexually transmitted diseases and HIV/AIDS

80. A comprehensive programme is being implemented by the Family Health Bureau to promote family planning and reproductive health education. This is an important component of the national health policy.

More details are set out under Part 2 of this Report under Article 12 - "Health"

81. The teenage pregnancy rate (i.e. Number of teenage pregnancies as a % of the total pregnancies) has shown a decreasing trend over the last five years, 7.7 per cent in 2007to 5.3 per cent in 2013.[15] The contraceptive prevalence rate in 2013 was 64.9 per cent (modern method — 55.4 per cent; traditional method — 9.5 per cent)[16] and has been static over the past five years. The target rate is 72 per cent to achieve a total fertility rate of 2.1 which is regarded as the replacement level. Approximately 5 per cent increase in the use of any contraceptive method was observed from year 2007 to 2013.

Reduce maternal mortality rates by identifying and addressing causes of maternal death

82. The United Nations in Sri Lanka has reported that "according to the Family Health Bureau of the Ministry of Health the maternal mortality ratio has declined from 92 deaths per 100,000 live births in 1990 to 33.3 in 2010.[17]

83. Factors such as socio-economic development, free education and related high literacy rate, free health services, control of communicable diseases and well organized primary health care systems have been attributed to this success. Sri Lanka has in place an efficient Maternal Mortality Surveillance and Review system which has contributed to identify the causes and necessary interventions. A fundamental aspect of maternal mortality surveillance is the utilization of the findings which are of policy concerns to relevant technical and administrative groups and providing feedback to those who provide services to women for corrective actions. At the National Maternal Mortality Reviews conducted at district level by the Family Health Bureau in collaboration with technical experts from the Sri Lanka College of Obstetricians and Gynaecologists and other relevant professional bodies, the cause of death is confirmed and the associated factors that may have contributed to the death are discussed to prevent such incidents in future. The proportion of births attended by skilled health workers was 99.8 per cent in 2010 and therefore, almost at the level of the target undertaken as the Millennium Development Goals. It has been noted that virtually all births in Sri Lanka involve institutional deliveries, and doctors attend to more than 70 per cent of deliveries.[18]

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[15] Annual Report on Family Health 2013, Family Health Bureau, Sri Lanka.

[16] Annual Report on Family Health 2013, Family Health Bureau, Sri Lanka.

[17] Millennium Development Country Report 2014 published by United Nations Sri Lanka — 2015. Page 103.

[18] Millennium Development Country Report 2014 published by United Nations Sri Lanka — 2015. Page 103.

Measures taken to ensure that women do not seek unsafe medical procedures (abortion) due to lack of appropriate services for fertility control

84. Family Planning (FP) was accepted as a part of the national health policy in 1965, and its service components were integrated into Maternal Child Health (MCH) services. The programme offers a wide range of modern contraceptive methods enabling all couples to have a desired number of children with optimal spacing whilst preventing unintended pregnancies. Family Planning services also include services for sub-fertile couples.

Law relating to abortion

85. The Law Commission has formulated a comprehensive draft Bill recommending the liberalization of the current strict approach contained in the Penal Code. The proposal has been formulated in consultation with medical professionals and recommends that termination of pregnancies be permitted in limited circumstances such as rape and where the foetus is established to have congenital abnormalities. A policy decision on the proposals is awaited.

Rural women [Paragraph 39]

Ensure that a gender perspective is included in the National Development Agenda

Develop policies and programmes including income generation a scheme, to improve the situation of women heads of households and older women

86. According to the 2012 census of population and housing, the 71.8 per cent of Sri Lankans live in areas demarcated as rural.[19] Of this number 51.43 per cent are women with 10.4 per cent below the age of 15 years and 6.7 per cent over 65.[20]

87. In this context the current development framework[21] envisages 'rural centric development with the objectives of improving the livelihoods of the people, ensuring that economic and social benefits reach every strata of the society and ensuring access to basic social services, empowerment and protection of poor and vulnerable through pro poor, pro regional public spending'.

88. To improve the institutional framework to implement development activities, the *Divi Neguma* Development Department was established in early 2014 by consolidating the *Samurdhi* Development Authority, *Udarata* Development Authority and Southern Development Authority with six regional divisions to address the socio-economic disparities in the regions. Rural development is undertaken by several Ministries, departments and the provincial administration.

89. The main programmes are the *Divi Neguma* (livelihood development), *Gama Neguma* (village development), *Maga Neguma* (road development). Villages have been identified as growth centres of the rural economy. In 2012, the *Gama Neguma* changed the approach to implement one development project in each village with each project costing Rs. 1 million, to cater to the emerging needs of the villages. Fourteen thousand development projects have been selected to be implemented in

[19] Rural and urban areas in Sri Lanka are demarcated according to administrative boundaries with all areas other than areas with a Municipal or an Urban Council and estates being rural.

[20] http://sis.statistics.gov.lk/statHtml/statHtml.do.

[21] Ministry of Finance and Planning, Department of National Planning 2010.Sri Lanka: the emerging wonder of Asia, The development policy framework.

all 14,000 Grama Niladari Divisions with the participation of community organizations. Effective integration of the rural economy with emerging economic sectors in urban centres to increase the productivity and competitiveness of the Small and Medium Enterprise (SME) sector that would also lead to the diversification of livelihood options is one of the strategies to achieve a regionally balanced development. Several programmes are operational to improve the livelihoods of the people by strengthening the family economy,[22] reducing regional disparities, improving infrastructure facilities through people centric development.

90. A participatory approach to decision making process is being taken to identify priorities that would lead to improved governance, transparency and accountability at the village level. A higher growth rate from 2010 to 2013, integrated rural development, and improvements in education, health and standard of living resulted in poverty levels, both consumption and multidimensional,[23] declining in the country from 8.9 per cent in 2009/10 to 1.8 per cent in 2013[24] and reduced the absolute numbers of the poor. Income inequality declined at national level as well as at provincial level. The extreme poverty indicator, US$ 1.25 a day had also declined to 3.3 per cent while those below US$ 2.0 a day had declined to 18.9 per cent in 2013 indicating that the living conditions across sectors had improved.

91. Records indicate that poverty at the national level declined from 26.1 per cent in 1990-1991 to 6.7 per cent in 2012-2013. The Urban sector achieved the related target under Millennium Development Goals by the year 2000. However, the rural sector achieved this target by 2008.[25] Inclusive development strategies, a 46 per cent increase in public expenditure from 2011 to 2013 to address multidimensional poverty had a positive outcome on low income households. However some provincial and district disparities persist especially in former conflict affected areas except Jaffna district, and in the Monaragala district in the Uva province.

92. There was hardly any difference in the poverty rates for males and females in the urban and rural sector but women in the estate sector were poorer than males.

93. Poverty levels in Sri Lanka have been declining since 1995 despite the armed conflict that lasted for nearly three decades till 2009. National poverty declined from 28.8 per cent in 1995 (outside the conflict affected areas of the Northern and Eastern Provinces) to 6.7 per cent in 2013 (island-wide) while poverty in the rural sector declined from 30.9 per cent to 7.6 per cent during the same period. The highest poverty head count ratio for 2012/13 at 10.9 per cent was reported from the estate sector and the lowest from the urban sector at 2.1 per cent. By district, the highest poverty was in the conflict affected districts of Mullaitivu (28.8 per cent) Mannar (20.1 per cent) and Batticaloa (19.4 per cent). However, poverty levels had increased in the non-conflict affected districts of Anuradhapura and Polonnaruwa in

[22] For example the backyard home gardening programme that reaches 2.5 mn households.

[23] Taking into account schooling, access to safe water, sanitation, cooking fuel, housing and assets etc.

[24] 28.8 per cent in 1995/96 to 15.2 per cent in 2006/07 Rural and urban areas in Sri Lanka are demarcated according to administrative boundaries with all areas other than areas with a Municipal or an Urban Council and estates being rural. See http://sis.statistics.gov.lk/statHtml/statHtml.do.

[25] Millennium Development Country Report 2014 published by United Nations Sri Lanka — 2015. Page 37.

the North Central Province and Monaragala district in the Uva Province with the highest poverty level at 20.8 per cent in the latter district.[26]

Abolish the concept of "head of household" in administrative practice and recognize joint or co-ownership of land

94. There is no legal definition of this term 'head of household' which is used loosely at the will of the person providing information. The former Ministry of Child Development and Women's Affairs has collected information from relevant government institutions to identify discriminatory issues. Since the election of the new government, (January 2015) the Ministry has been re-constituted as a standalone Ministry of Women's Affairs (M/WA) and this matter will be given due consideration.

Amend the LDO in order to ensure that joint or co-ownership be granted to both spouses when State allocates land to married couples

95. The proposed amendment to the LDO has been referred to the Provincial Authorities and their views are being sought. Please see paragraph 21 above.

Impact of conflict on women [Paragraph 41]

96. Sri Lanka has progressed considerably from the situation that prevailed as at the time of the 48th Session in January 2011. Comprehensive reports on the manner in which post conflict issues have been handled, with regard to matters of IDPs, sexual violence, resettlement and rehabilitation have been submitted by Sri Lanka to the UN Human Rights Council regularly, since the end of the conflict. The interventions and programmes that benefitted both women and men were adequately explained therein.

97. The Government of Sri Lanka wishes to state that with complete normalcy returning to the areas affected by the conflict, the intensity of the issues related to the protection of women in the former conflict affected areas have reduced today. The last batch of the IDPs were resettled in their villages in Mullaitivu on 24 September 2012. A total of 1,186 persons from 361 families were thus resettled. With this last batch of IDPs, the Government has resettled a total of 767,748 (226,824 families) IDPs.

98. A further 26,056 (7,840 families) have chosen to live with host families in various parts of the country, a choice that they are free to enjoy. Land in the high Security Zone in Palali Cantonment has been progressively released since 2010:

28 October 2010	:	370. 65 acres
27 November 2011	:	1952. 13 acres
09 May 2011	:	1971.9 acres
06 October 2014	:	345.94 acres
29 November 2011	:	617.76 acres
23 March 2015	:	430 acres
10 April 2015	:	570 acres

[26] Department of census and Statistics, Poverty Head Count Ratio Brief 2014).

99. With regard to the rehabilitation and reintegration of ex-combatants, from approximately 12,000 persons, as of 11th August 2014, only 114 beneficiaries (112 male and 2 female), are undergoing rehabilitationand84 are under legal proceedings (judicially mandated custody, remanded or bail out). The child combatants (both male and female) released were afforded the opportunity of a formal education and all of them have been reintegrated with their families.

100. A database of beneficiaries has been established and self-employment and micro-enterprise assistance has been provided to 611 single parents in the Northern Province and 128 in the Eastern Province. Special vocational and non-formal training programmes are conducted for women who have not been able to continue with their formal education due to conflict. 27,000 women headed families in the North have been benefited from this programme.

101. Attention was paid to reunification of families, with married ex-combatants being given the opportunity to re-join with their spouses, children and parents at special rehabilitation centres called 'Peace Villages' e.g. Kaithady in Jaffna. This enabled many beneficiaries to continue their rehabilitation without any disruption to their family life.

102. ***Protection of women ex-combatants from human rights violations***

Following the end of the conflict, the Government of Sri Lanka adhered to a policy of treating all surrendered child ex-combatants including females who had been forcefully conscripted by the LTTE, as victims and not perpetrators. Every possible effort was taken to look into their welfare and future. Having appreciated the circumstances under which most of them were compelled to take arms, the Government made a strong commitment to re-integrate them with the civilian society after a suitable rehabilitation programme. The Government set up the Bureau of the Commissioner General of Rehabilitation (BCGR) to rehabilitate and reintegrate both male and female ex-combatants. Originally the Ministry of Defence initiated this programme with the collaboration of the Ministry of Justice. Subsequently this task was undertaken by the Ministry of Rehabilitation and Prison Reforms in April 2010. Initially around twenty four Protective Accommodation and Rehabilitation Centres (PARCs) were set up in rehabilitating ex-combatants.

103. By the end of July 2014, 11,971 (9,694 male and 2,277 female) ex-combatants, which included 594 LTTE child ex-combatants (364 male and 230 female) have been rehabilitated and reintegrated into society. 272 out of 594 child ex-combatants, opted continuing their formal education, were re-inducted into the studies. 322 out 594 child ex-combatants were inducted into vocational training programmes. The rehabilitation programmes were carried out with the assistance of UNICEF, IOM, NAITA (National Apprenticeship and Industrial Training Authority) and some NGOs. The reintegration of child combatants was successfully completed by 18th May 2010.

104. In view of the need to make the rehabilitated women ex-combatants employable, special vocational training programmes were organized for them in the fields such as bridal and hair dressing, modelling, beauty and make up, nursery management, and Juki machine operations. Some of them were given on the job training to make way for absorption into permanent cadres in their respective institutions. Some opted for foreign employment after requisite training.

105. Female ex-combatants whose education was disrupted by the LTTE have sat for both General Certificate of Education (GCE) Ordinary Level (O/L) and Advance Level (A/L) examinations conducted by the Department of Examination of Sri Lanka since 2009. 212 out of 361 ex-combatants passed O/L in 2010. In which 65 were female ex-combatants. Having sat for A/L examination, 37 ex-combatants qualified for entering the universities in 2010. In which, 29 were female ex-combatants. Subsequently, in 2011 another 5 ex-combatants passed the A/L examination including 1 female ex-combatant.

106. After two years of comprehensive rehabilitation, 665 ex-combatants were recruited to the Civil Security Department voluntarily and 129 of them were females.

107. Conflict affected widows and disabled women are given priority in beneficiary selection for above projects (20 marks are allocated for widows in the beneficiary selection criteria).

108. ***Investigation of acts of violence including acts of sexual violence by private actors as well as armed forces***

A comprehensive study undertaken of incidents of sexual offenses in the North by the Ministry of Defence has revealed the following:

Sexual Violence in the Northern Province

a. Cases reported during the conflict period - 119 (125 accused),

   1 January 2007 to 18 May 2009.

b. Cases reported in the post-conflict period - 256 (307 accused)

   19 May 2009 to 31 May 2012.

109. During the conflict period (January 2007-May 2009), 7 Security Forces personnel were reported to have been involved in 12 incidents of sexual violence in North and East areas. In the post conflict period (May 2009-May 2012), 10 Security Forces personnel were reported to have been involved in 6 incidents of sexual violence in the North. This is out of a total of 307 persons accused in 256 incidents in the entire Northern Province.

110. The involvement of Security Forces personnel as a percentage of the total accused stands at 5.6 per cent in the conflict period and 3.3 per cent in the post conflict period. This decline demonstrates that the allegation that the presence of the security forces in the North contributes to the insecurity of women and girls has no truth.

111. However, since the election of the new President in January 2015, steps have been taken to strengthen civilian administration in the Northern and Eastern Provinces. Civilian governors were appointed to both provinces, engagement of the military in civilian activity has ceased and further steps are being taken in this regard.

112. As regards the comment by the Committee that the Ministry of Child Development and Women's Empowerment is not a member of the Consultative Committee on Humanitarian Assistance (CCHA) which consists of representatives of relevant Ministries, it may be noted that the CCHA which was constituted for

coordinating humanitarian assistance during the conflict, does not function anymore.

Establishing counselling centres for women

113. The M/WA is in the process of setting up counselling centres in selected districts to provide counselling for victims of violence. Counselling and psychosocial support were given to number of women at the Poonthottam rehabilitation centre in Vavuniya District. Furthermore, awareness programs on the Prevention of Domestic Violence Act, have also been conducted for the Counselling Officers attached to the Ministry of Social Services, Welfare and Livestock Development and the M/WA.

114. The Ministry of Social Services conducts different types of counselling programmes under its National Counselling Unit (NCU), including Preventive Counselling; Treatment Counselling, and Capacity Building Counselling in the Northern Province. This is aimed at reducing school drop-outs, domestic violence, crime rate, improving mental health, and social integration in the resettled areas, especially among war-affected persons. In this exercise, the priority is given to single-parents with dependent children and elders.

115. By January 2014, a total of 70,891 individuals in the Northern Province and 32,230 individuals in the Eastern Province have been benefited during their displacement as well as in the resettlement (during last five years) through this programme. The NCU has also provided its services to 2,643 LTTE ex-combatants.

116. Under the NCU, 200 Counsellors have been employed and 700 Counsellors are serving though other Government Institutions, NGOs and the private sector Island-wide. NCU has also trained 2,297 volunteers at village level to provide counselling services to the needy people as of January 2014.

117. National Institute of Social Development (NISD) of the Ministry of Social Services conducts several higher education programmes including Master in Social Works, Bachelor in Social Work, Diploma in Women Empowerment, and Diploma in Child Protection. 823 field officers in the Government and NGOs sectors have already been offered educational programmes by the end of January 2014.

118. Currently, 27 and 28 Social Care Centres are in operation in the Northern Province and in the Eastern Province respectively. The Ministry of Social Services in collaboration with UNICEF has assisted a considerable number of single-parent families in the North and East, including financial assistance, self-employment and empowering women through these centres.

119. The Government, under the new President elected in January 2015 is taking steps to work with the UN and other international organizations including the ICRC to enhance psycho-social support.

Inclusion of provisions for economic and social rights in post-conflict reconstruction including through the adoption of temporary special measures

120. Several livelihood and income generating projects were implemented since May 2009 by several ministries addressing the needs of women and their economic and social rights, particularly women-headed households in Northern and Eastern provinces. Some of the examples are as follows:

-"*Single Parent Families Development Programme*", operating under then the Ministry of Social Services, provided self-employment assistance and Micro Enterprise Assistance during the period January-June 2014, to 208 single parents from the Northern Province and 18 single parents from the Eastern Province, making the total number of beneficiaries to 533 individuals in the Northern Province and 92 individuals in the Eastern Province from 2009 to date.

- livelihood programmes for women-headed households have been extended to Jaffna, Mannar, Vauniya, Mullaitivu, Kilinochchi, Batticaloa, Ampara, Trincomalee, Karainagar, Vadamarachchi East (Marudankeni), Vavuniya — Vengalasettikulam, Batticaloa — Manmunai Pattu, Wakarai, Kilinochchi — Pachchileipalli, Mannar — Nanttan. They continue in Porathive Pattu, Kandawali, Kopay, Velanai, Karaveddhi, Maritimepattu, Kalmunai Tamil, Erawurpattu, Thenmarachchi, Kanthale, Kuchchaweli, Vengalasettikulam, Koraleipattu and Uduwil. Revolving credits have been issued for 283 women.

- the former Ministry of Child Development & Women's Affairs and Care International commenced a Special Development Programme mainly targeting widows and women-headed families in Kilinochchi and Mullaitivu. Social empowerment of women is carried out through awareness programmes on cash management, reproductive health, alcohol abuse and prevention of gender based violence.

- information on women-headed households in Northern Province used for provision of livelihood assistance under the *Divi Neguma* programme of then the Ministry of Economic Development.

121. In collaboration with the former Ministry of Economic Development, the M/WA has developed programmes targeting the widows and female-headed households in the conflict affected areas. This joint programme was designed as a component of the 'Divi Neguma' programme of the former Ministry of Economic Development. The objectives of this programme are as follows;

- introduce new projects at the community level for income generation targeting the women headed families and widows;

- enhance and promote the self-employment schemes which already exist;

- provide vocational training and entrepreneurship training for women identified under the 'Divi Neguma' programme;

- set up markets under the 'Divi Neguma' programme for women who have already commenced self-employment;

- monitor the implementation of above programmes through the officers at the field level who are attached to the Ministry and other women societies set up by the Ministry.

Both financial and technical support for the above programmes were provided by the Ministry of Economic Development under the 'Divi Neguma' programme.

Migrant women [Paragraph 43]

Adopt a rights based approach to empower women migrant workers through implementing bilateral conventions with recipient countries and assisting migrant women who seek redress

122. On protection of migrant workers, Memoranda of Understanding (MoU) with the following countries have been entered into-

1) With the Govt. of Italy — on 18 October, 2011
2) With the State of Kuwait — on 10 May 2012
3) With Republic of Iraq — on 5 September, 2013
4) With Sultana of Oman — on 22 June 2014

123. Realizing that the women who are in younger ages have the potential of facing vulnerable situations, the minimum age limit of females leaving for foreign employment as domestic workers was increased with effect from 08.05.2013 as follows;

Kingdom of Saudi Arabia	: from 21 years to 25 years
Other Middle East countries	: from 21 years to 23 years
Other countries	: 21 years

124. The Government has implemented several steps including the following through the SLBFE in governing employment agencies to minimize illegal practices. The SLBFE is the main arm of the Government that works for; (a) promotion of foreign employment opportunities for Sri Lanka (b) governance and regulations of foreign employment industry in Sri Lanka and (c) protection and welfare of migrant workers and their family members;

- a valid license is compulsory to carryout employment business by foreign employment agencies;
- activities of all foreign employment agencies are regulated by the Act of the SLFEB;
- all foreign employment agencies are graded according to their activities by the SLFEB;
- introducing guidelines to be followed by agencies to safeguard the rights of the workers and their welfare;
- monitoring and taking action against foreign employment agencies when they violate guidelines in the industry;
- a quota system was imposed with effect from 15.04.2013 in order to maintaining a quality of recruiting of migrant workers through Licensed Foreign Agencies to Middle Eastern countries;
- a refundable security deposit of US$ 1000(or non-refundable deposit of US$ 500 as an alternative) by employer for direct recruitment of females for employment in Middle East as domestic workers, was made compulsory with effect from 01.06.2012;

- submission of a Family background Report by females leaving for foreign employment as domestic workers was made mandatory with effect from 15.07.2013. This was introduced in ensuring the protection of small children (below 5 years of age) who are left behind by mothers, leaving for foreign employments.

125. When the departures for foreign employment are considered from 1995 onwards, it is seen that the share of females is gradually decreasing and the share of departures of male workers is increasing. Departures of female workers have decreased during 2013 by 14.64 per cent and male workers have increased by 21.45 per cent. On the other hand, the departures of housemaids, who are mostly vulnerable to ill-treatments and un-protective situations, has decreased by 18.33 per cent in 2013.This shows a transition from female dominance in departures for foreign employment in mid-1990 to male dominance by 2013.

126. Many initiatives that were introduced with comprehensive details that were submitted in Sri Lanka's 5th, 6th and 7th combined Report, continue to be implemented.

Marriage and family relations [Paragraph 45]

Amend the Muslim personal law regarding polygamy and early marriage

Amend Thesawalamai law which requires husbands consent for women to appear in court or undertake any transaction

Consider preparing a unified family code in which equal right of inheritance, property and land are addressed as well as polygamy and early marriage with a view to abolishing them

127. Sri Lanka's approaches in reforming personal laws remain as stated in its previous periodic reports and are clarified above under "Discriminatory laws".

Ensure women's participation in the law reform process

128. There is absolutely no deterrent to women's participation in the law reform process. In fact 82 per cent in the legal draftsman's Department are women officers, while 40 per cent of lawyers and 34 per cent of legal official in the AG's Department are women.

Report on efforts undertaken to recognize no-fault divorce and enhance women's economic rights upon divorce

129. The Law Commission has formulated a draft Bill which recognizes the concept of marital breakdown as a ground for divorce. The Bill is under consideration.

Data collection and analysis [Paragraph 47]

130. There is considerable disaggregated data being compiled in respect of all sectors and more disaggregated data is being sought for monitoring and evaluation purposes and to determine policy changes.

Amendment to Article 20(1) of the Convention [Paragraph 48]

131. Process of Sri Lanka accepting the amendment is expected to be completed latest by end of May 2015.

Beijing Declaration and Platform for Action [Paragraph 49]

Fully utilize above which reinforce the provisions of the Convention and include information thereon in its next periodic Report

132. The three priority areas that the M/W is currently working on are:

(i) Women's economic empowerment;

(ii) Elimination of violence against women and girls;

(iii) Women's engagement in public and political life. These are within the twelve 12 critical areas in the Beijing Platform for Action.

133. The National Plan of Action for Women is based on the Beijing Declaration and Platform for Action and has been approved by the Cabinet1996. The decision of the Cabinet was to focus on vulnerable groups, and hence the Action Plan focuses on female headed households, war affected women and poor women. Most of the activities of the Ministry have focused on addressing the socio economic empowerment of these categories as well as enhancing the recognition of the rights of women.

134. The progress report on Sri Lanka in line with the Beijing Action Plan is being formulated by the Women's Affairs Ministry to mark the 20th anniversary of the Beijing Women's Conference held in 1995. The progress report is being formulated under 12 areas of issues related to women. The study will focus on finding to find out as to what the rest of the women who are 52 per cent of the Sri Lankan population, are doing for a living.

Part II
Progress since last periodic report

Articles 2 and 3

Elimination of discrimination and right to fully participate in all fields

135. Sri Lanka's comprehensive legal regime recognizing equality before the law and its anti-discrimination policies have continually been focused on ensuring effective and meaningful implementation. The capacity and skills of the partners in the administration of justice process continue to be enhanced through several appropriate programmes as referred to in Part 1.

Article 4

Temporary special measures

136. Temporary special measures are recognized as legitimate interventions in terms of the Constitution. However, no such measures have been considered, and the approach has been to incorporate necessary measures as national policy.

Article 5

Elimination of prejudices and customary and other practices

137. Social and cultural patterns that were based on perceived superiority of men has eroded to a large extent and continue to erode with significant numbers of women acquiring high educational qualifications and securing employment in positions compatible with their qualifications. As successful progress has been achieved through national progressive policies, it is believed that permitting natural progression of the status of women is an approach that will produce sustainable results.

Article 6

Suppression of trafficking and exploitation of prostitution

138. Considerable progress has been achieved to deal with the offence of trafficking as has been enumerated in Part 1 of this Report.

Article 7

Equal rights to vote and participate in political and public life

139. Sri Lankan women have equal rights with men in respect of the areas referred to in paragraphs (a) to (c) of this Article. The women have also shown their strength in participating in political life other than in the area of presenting themselves for election. As has been enumerated in Part 1, although many initiatives have been made to encourage women to enter the political arena, there has been a reluctance on the part of women to stand for election to Parliament and at Provincial and lower elected bodies.

140. However, continuous attention is being made to encourage women to assume public officers as Members of Parliament and Provincial bodies. As explained at paragraph 60, it is likely that participation will increase with the implementation of the Work Plan of the Women's Parliamentary Caucus Women do participate in decision making specially at policy level. Entering the national and provincial legislatures is not the only way or the most significant way in which the voice and issues that impact women can be addressed. Despite the statistically low figure of women legislators, it is noted that for more than 22 out of the 67 years since Sri Lanka gained independence, executive power in the country has been wielded by elected women leaders. (Prime Minister Sirimavo Bandaranaike, the world's first elected female Prime Minister; President Chandrika Bandaranaike Kumaratunga, Sri Lanka's first female executive President governed from 1994 to 2005. She now plays an important role in the reconciliation process).

Article 8

Equal rights to represent Government

141. Universal adult franchise was introduced in Sri Lanka (then Ceylon) in 1931. Women's right to vote has been guaranteed and there has never been any obstacle to their active participation at all elections and public referenda and to be eligible for election to all public elected bodies.

142. Sri Lankan women are free to participate in the formulation of government policy and their implementation thereof and to hold public office and perform all public functions at all levels of government. A detailed description has already been given in Part I of this report.

143. That position continues and women are well represented at international level and have complete freedom to participate in the work of international organizations, including in UN Peacekeeping. With the Government's policy of enhanced cooperation with international organizations and participation in international processes, the Government envisages increased participation of women in these processes including peacekeeping.

Article 9

Equal rights regarding nationality

144. The position of absolute equality has been ensured by law and practice. Women have all rights to decide the nationality irrespective of their marriage. Women have equal rights with men with respect to the nationality of their children, as guaranteed by the 2003, No 16 Citizenship (amended) Act.

Article 10

Equal rights to education

145. There continues to be a policy of no-discrimination in education. In fact the Statistics with regard to the achievements of girls in secondary schools and women in higher education continues to show significant progress.

Access to Education

Trends in enrolment, retention and performance

146. As previously reported there are no legal barriers to schooling for girls in the nearly 10,000 state schools and in other private schools. The fact that 96 per cent of schools are co-educational has facilitated the access of girls to schools.

147. The very satisfactory state of girl's education is evidenced from the data set out below.

Table 1
Net Enrolment Rate in Primary Education by Gender, 2012

Gender	*Population under primary level*	*Attending school*	*Net enrolment rate (per cent)*
Male	1 043 728	1 010 780	96.8
Female	1 016 076	984 785	96.9

The net enrolment ratio is defined as the percentage of official primary/secondary school age children who are enrolled in primary/secondary school.

Table 2
School enrolment of girls — 2013

Educational Levels	*% of girls*
Grades 1-5	49.2 %
Grades 6-9	49.7 %
Grades 10-11	50.6 %
Grades 12-13 Science	49.9 %
Grades 12-13 Arts	65.1 %
Grades 12-13 Commerce	48.6 %
Grades 12-13 Technical	40.6 %
Grades 12-13 Total	56.6 %
Grades 1-13 Total	50.4 %

***Source**: Ministry of Education Annual School Census, 2013.*

Table 3
School Enrolment by Province, 2013

Province	*Total No.*	*% of Girls*	*% of Boys*
Western	945 843	50.2	49.8
Central	529 568	50.7	49.3
Southern	513 466	50.2	49.8
Northern	249 431	50.7	49.3
Eastern	388 498	49.9	50.1
North Western	485 962	50.3	49.7
North Central	270 328	50.5	49.5
Uva	279 560	51.1	48.9
Sabaragamuwa	374 345	50.7	49.3
Sri Lanka	4 037 001	50.4	49.6

Note: Government Schools only.
Source: Research and Development Branch, Department of Examinations.

Table 4
School Enrolment by Grade, 2013

	Grade	*Total No.*	*No. of Girls*	*No. of Boys*	*Girls/ 100 boys*
Primary	Grade 1	351 407	172 717	178 690	96.7
	Grade 2	349 098	171 541	177 557	96.6
	Grade 3	341 025	167 955	173 070	97.0
	Grade 4	337 361	166 201	171 160	97.1
	Grade 5	334 407	164 646	169 761	97.0

	Grade	Total No.	No. of Girls	No. of Boys	Girls/ 100 boys
Secondary	Grade 6	350 240	163 331	166 909	97.9
	Grade 7	329 201	162 801	166 400	97.8
	Grade 8	315 981	157 147	158 834	98.9
	Grade 9	297 223	148 738	148 485	100.2
	Grade 10	274 399	158 424	136 175	101.7
	Grade 11	267 918	136 147	131 371	103.9
	Grade 11 repeaters	24 723	12 248	12 475	98.2
	Grade 12 Science	36 401	18 558	17 843	104.0
	Grade 12 Arts	74 805	48 550	26 255	104.9
	Grade 12 Commerce	37 143	18 540	18 603	99.7
	Grade 12 Technology	7 006	2 846	4 160	68.4
	Grade 13 Science	78 906	38 994	39 912	97.7
	Grade 13 Arts	152 128	99 120	53 008	187.0
	Grade 13 Commerce	92 052	44 191	47 861	92.3
For disabled students	Special Education	5 377	2 191	3 186	68.8
	Total	**4 037 001**	**2 035 186**	**2 001 715**	**101.7**

Note: *Government Schools only. Source: School Census 2013 - Ministry of Education.*

Participation rates

148. Of the 5-14 age group participation rates are reported to be 98.0 per cent for girls and 98.8 per cent for boys.

Retention/Survival rates

149. At the end of Grade 5 (primary education), the overall rate had increased to 98.6 per cent (98.9 per cent girls and 98.3 per cent boys), at the end of Grade 9 to 91.9 per cent (93.9 per cent girls and 90.1 per cent boys) and at the end of Grade 10 to 89.4 per cent (91.9 per cent girls and 86.9 per cent boys) in 2013. There is parity in enrolment till Grade 11 but retention rates indicate that more boys drop out in the higher grades.

Performance in primary and secondary Education

150. Records indicate that girls perform better than boys at all levels, the gender gap widening at senior secondary school examinations.

Table 5
Grade 5 Scholarship Examination — 2014
Performance of Candidates

	Male			*Female*		
		Above Cut Off			*Above Cut Off*	
Year	*Number Sat*	*Number*	*%*	*Number Sat*	*Number*	*%*
2014	164 582	15 289	9.29	163 066	17 446	10.70

***Source**: Research and Development Branch, Department of Examinations.*

Table 6
Percentage distribution of Population aged 5 yrs, and above according to Education Attainment and Sex, 2012

Level of education	*Population aged 5 yrs & above*	*Women %*	*Men %*
Total	18 527 683	9 598 325	8 929 358
No schooling	3.8	4.8	2.7
Grade 1-5	23.6	22.9	24.2
Grade 6-10	40.7	38.8	42.7
G.C.E. (O/L) or equivalent	17.0	17.2	1+.8
G.C.E. (A/L) or equivalent	12.3	13.6	10.9
Degree and Above	2.7	2.7	2.6
%	100.0	100.0	100.0

***Note**: Provisional data based on 5 per cent sample.*

Census of Population and Housing 2012. Department of Census and Statistic

Higher education

151. Sri Lanka has fifteen public universities and five institutes attached to them which provide education free of charge to undergraduate students. The total student population in 2013 was 97,119 of which 58,601 (60.3 per cent) were women. Unmet demand as a consequence of lack of adequate facilities is seen in the large number of external students preparing for degrees of a few universities -118,595 of whom 82,498 (69.6 per cent) are women. Of the number of post graduate students 40 per cent were women in 2012.

152. As seen in Table 7, women students are the majority in most courses. The exceptions are in *Information Technology* in which there has been a rapid increase in recent years and near equality has been achieved, and *engineering* which has seen little change over the years.

Table 7
Total Enrolment by courses (2013)

Academic courses	*Total no. of students*	*% of Women*
Arts	26 617	76.7
Education	467	85.2
Law	5 426	50.9
Management & Commerce	19 887	55.1
Science	15 507	58.5
Agriculture	3 872	61.9
Medicine	6 164	55.8
Dental Surgery	416	63.5
Veterinary medicine	295	64.4
Information Technology	3 344	47.9
Engineering	8 188	24.0
Architecture	1 376	51.7
Indigenous Medicine	1 403	76.6
Para Medical	4 162	78.1
Total	**97 119**	**60.3**

***Source**: University Grants Commission Handbook, 2013.*

Technical-Vocational Education

153. The new structure created at the beginning of this century — *the National Vocational Qualification Levels 1-7 Scheme-* has offered an alternate path to higher education. Nevertheless the data presented in the figures pertaining to Technical Colleges and the programmes offered by the Vocational Training Authority (VTA) indicate that women are still opting for the conventional 'feminine appropriate' courses leading to traditional jobs. The concentration is in courses such as sewing and secretarial, courses. The only significant change has been the selection of Information Technology courses by large numbers of women chiefly at level 4 skills, and not yet at the levels that offer an avenue to middle level technician jobs or higher skills. A limited number of women apply for technician or technology courses. The same gender imbalances are seen in the programmes of the National Apprenticeship and Industry Training Authority (NAITA) and the Sri Lanka Advanced Institutes for Technical Training (SLIATE).

Table 8
Technical-Vocational Education

	2011			*2012*		
Characteristics	*Total No.*	*No. of Women*	*% of Women*	*Total No.*	*No. of Women*	*% of Women*
Certificate	7 736	5 415	70	10 161	6 174	61
Diploma	3 160	1 429	45	3 632	1 517	42

Characteristics	2011			2012		
	Total No.	No. of Women	% of Women	Total No.	No. of Women	% of Women
Bachelor Degree	14 915	8 309	56	15 418	8 823	57
Postgraduate Diploma	4 912	3 480	71	5 564	3 783	68
Higher Degree	887	391	44	890	397	45

***Source**: Sri Lanka University Statistics- Ministry of Higher Education.*

Table 9
Vocational and Technical Training — 2013 in selected Public Sector Training Organizations

Institute	Recruited		Completed	
	Total No.	% of Women	Total No.	% of Women
Vocational Training Authority	28 080	40.29	23 332	41.20
National Youth Services Council	20 158	53.03	14 679	59.55
National Apprenticeship & Industrial Training Authority	23 613	44.77	19 652	48.65
Department of Technical Education and Training	22 736	41.34	14 900	40.28
Ceylon German Technical Training Institute	4 516	0.75	2 887	0.76
Sri Lanka Institute of Printing*	786	28.75	–	–
National Institute of Business Management	10 954	44.92	4 410	47.05
National Institute of Fisheries and Nautical Engineering	2 123	10.83	1 619	14.95
University of Vocational Technology*	572	27.97	–	–

***Source**: Ministry of Youth Affairs and Skills Development.*
** Other students are still continuing the courses.*

Article 11

Equal rights to employment

154. Sri Lanka continues to have a non-discrimination policy in the employment sector.

Labour Force Participation

Table 10
Summary of Labour Force characteristics — 2013

Indicator	Total	Male	Female	Urban	Rural
Population (15 years & over)	16 359 761	7 577 344	8 782 417	2 813 020	13 546 741
Labour force in this age group	8 802 113	5 677 815	3 124 298	1 345 015	7 457 098
Labour force participation rate	53.8	74.9	35.6	47.8	55.0
Employed population	8 417 674	5 498 815	2 918 859	1 290 425	7 127 249
Employment rate	95.6	96.8	93.4	95.9	95.6
Unemployed population	384 439	179 000	205 439	54 590	329 849

Indicator	*Total*	*Male*	*Female*	*Urban*	*Rural*
Unemployment rate	4.4	3.2	6.6	4.1	4.4
Not in labour force	7 557 648	1 899 529	5 658 119	1 468 005	6 089 643

All districts are included. 15 years & over population.

Table 11
Labour Force by Educational level

	Total labour force			
Level of education	*Total number*	*Women as a % of the total*	*Women %*	*Men %*
Below Grade 6	1 520 454	35.9	17.5	17.2
Grade 6-10	4 166 119	30.2	40.3	51.2
GCE (O/L)	1 432 651	34.9	16.0	16.4
GCE (A/L)	1 291 531	47.5	19.6	12.0
Degree & above	391 358	52.9	6.6	3.2
Total	**8 802 113**	**35.5**	**100.0**	**100.0**

***Source**: Sri Lanka Labour Force Survey — 2013. Dept. of Census and Statistics, Sri Lanka.*

Table 12
Labour Force participation rate by Sector — 2013

Sector	*Men*	*Women*
Urban	70.3	27.7
Rural	76.0	36.5
Estate	74.2	52.9
Total	**74.9**	**35.6**

***Source**: Sri Lanka Labour Force Survey — 2013. Dept. of Census and Statistics, Sri Lanka.*

155. At any given time, the Labour Force[27] participation rate of women has been half of that of men. On a consideration of educational attainments of the workforce, it is seen that women with higher levels of qualifications account for larger percentages in the workforce.

156. The labour force participation of women in the plantation sector is the highest at 42.4 per cent.

157. As at 2013, the estimated economically active population was around 8.8 million, with 64.5 per cent (5.7 million) of that number being males, and 35.5 per cent (3.1 million) being females.

158. The development policy has a target of increasing the labour force participation of women to 40 per cent. The unemployment rate for women (7.7 per

[27] Labour Force is expressed as the economically active population aged 15 years & over.

cent) is more than twice as much as that for men (3.5 per cent).[28] Women in the labour force are, however, engaged in low paid work, in the plantations and in the garment sector. In addition, twice as many women engage in unpaid family work and this is higher in the agricultural provinces, the North Central and Uva. Women also form a larger bulk of those migrating, especially to the Middle Eastern countries, as housemaids.

159. The National Human Resources and Employment Policy for Sri Lanka, 2012, a ten year horizon plan, which states that a policy objective is to 'enable women to participate in the labour market and access jobs that pay better', has for the first time, attempted to mainstream gender in employment policies and refers to the need to overcome attitudinal barriers to achieve these objectives.

160. Persistent and sustainable policies which provide equal opportunities for women as well as the significant successes that women have achieved in education have contributed to the decline of unemployment. The Government also implements many self-employment programmes through line Ministries that have empowered women to be self-employed. Examples of these are programmes implemented by the Ministry of Technology and Research which implements a technology transfer programme (*Vidatha*) and the Ministry of Rural Development which conducts skills development programmes.

Women 'outside' the Labour Force/Economically Inactive Population

161. Women engaged in housework are not included in the definition of 'economically active' population. This effectively removes almost 75 per cent of the female population over the age of 15 and overlooks the economic value of housework. Women employed as waged domestic workers are included in the labour force but in contrast, housewives who perform the same functions are not. There is a need to recognise work performed in the home hitherto primarily by women in their gendered roles as mothers, wives and daughters, as an essential component of both the household and the national economy through the formulation of criteria that gives economic value to this area of activity. This would enhance social and economic status of women in the country and could pave the way to counter gender based social discriminatory practices and acknowledge and recognize full time housewives as significant to national economic development.

Article 12

Equal rights to access health care

162. The Sri Lankan Government continues to provide free universal health services to its people and continues to sustain a strong primary health care network. The results have produced significant achievements. The Government continues to be the main provider of health care services which are free at the point of delivery to all citizens without discrimination, through the many institutions established island wide.

[28] Department of Census and Statistics, Sri Lanka 2011.

Network of services

163. At the national level, the Family Health Bureau is the central organization of the Ministry of Health responsible for planning, coordination, monitoring and evaluation of maternal and child health and family planning programmes. At provincial level, the Provincial Director of Health Services is the departmental head and are assisted by Regional Directors of Health services within a District and services continue to be provided through a network of medical institutions and Health Units.

Maternal and Child Healthcare (MCH)

164. The Public Health Midwife (PHM) is the "front line" health worker providing domiciliary care to mothers and children within the community. Each PHM functions within a defined area with a population of 2,000 to 5,000. Through systematic home visits the PHM provides care to pregnant women, newborns, infants and pre-school children and also offers planning services. The PHM also distributes contraceptives and follows-up contraceptive users within her area. She also ensures that women above 35 years attend the *Well Woman* Clinic and follows up to monitor that instructions are carried out. This system has been well developed and has been effective in delivering preventive and promotive maternal and child health services to the population and has received recognition as a model for other developing countries.

165. The Maternal and Child Health policy is an important component of the National Health Policy of Sri Lanka. In terms of the Policy framework strategic plans have been formulated for *Maternal and Newborn Health* and *Child Health*. The following technical committees have been appointed to obtain recommendations to address issues within the subject area of the Committee-

a) Technical Advisory Committee on Maternal Health and Family Planning

b) Technical Advisory Committee on New Born and Child Health

c) Working Committee on School Health

d) Working Committee on Well Women Clinic

e) Monitoring Committee — Sri Lanka code for promotion protection and support for breast feeding and marketing of designated products.

166. The progressive policy framework and sustained focus on effective implementation has resulted in very favourable achievements.

The Crude Death Rate for 2012(Provisional) was 6.0 per 1,000 persons.

Maternal Mortality Ratio (MMR) for the year 2012 is 37.7 per 100,000 live births.

Average number of clinic visits per mother (2012) — 6.8 per cent

Average number of antenatal home visits per mother by a PHM (2012) — 5

Live births in Government hospitals (2012) — 95.75 per cent

Births attended by skilled health personnel — 98.6 per cent (2006) (D&HS)

167. Issues related to maternal and child nutrition are also forwarded to the Nutrition Steering Committee chaired by the Secretary of the Ministry of Health and from there to the Presidential Nutrition Secretariat.

Family Health Programme[29]

168. The basic units of service care provision are eligible families and the schools in a given health area. An eligible family is defined as a family with a couple either legally married or living together where the woman is between 15 to 49 years of age or with a child under 5 years of age. A family with a pregnant or a cohabiting woman irrespective of marital status and age or single women either widowed, divorced or separated are also considered under an eligible family. Interventions in improving maternal and child health commence from the pre-conception stage. A new package of interventions for "preconception care" has been piloted and introduced to the Family Health Programme in 2012 to promote health of women and their partners to enter pregnancy in optimal health, and to maintain it throughout the life course. The main strategy used to fulfil this is by ensuring women of childbearing age and their partners receiving a comprehensive package of pre-conception care. The care includes creating awareness, health promotion, screening and appropriate mediations to reduce risk factors that might affect future pregnancies of the reproductive aged women. This package is introduced to extend the maternal health continuum prior to pregnancy to reduce indices such as maternal mortality, infant mortality and low birth weight into lower indices. The new package would–

- Improve knowledge and attitudes of men and women especially in relation to pre-conception health which would lead to behavioural changes.
- Ensure that all newly wedded couples receive pre-conception care services (health promotion, evidence based risk screening, interventions, etc.); to Improve the health of women before pregnancy by giving pre-conception care.
- Detect the health problems of the couple to prevent, minimize, treat or correct the health problems before they attain parenthood.

169. Maternal care has been one of the main focus areas of the programme from its inception. Hence the public health system of Sri Lanka is well-geared to provide services for pregnant and postpartum mothers. Maternal care package was revised to include best evidence into practice and scaled up implementation was done during the year 2012. The care for pregnant mothers begins with the registration of pregnant mothers with field PHM either at field or clinic and a standard package of interventions is offered to them. These interventions include, preliminary clinical assessment and screening for health and clinical risks in pregnancy, monitoring of maternal and foetal wellbeing in subsequent visits, tetanus immunization, nutrition supplementation, referral of high risk pregnancies for specialist care, providing information and counselling for pregnancy related issues and delivery planning.

170. The very high percentage of pregnant mothers registered with Public Health Midwife (PHM) for care during 2012 (94 per cent) indicates that the majority of pregnant women are in contact with the services offered by the FHP. Of them over 90 per cent registered for care before 12 weeks of amenorrhea and this number has

[29] All information from the *Annual Health Bulletin, 2012 — Ministry of Health*.

been rising over the last few years. Protection for Rubella with immunization before pregnancy, protection for Tetanus, antenatal screening for Syphilis and testing for blood group at the time of delivery has reached almost universal coverage. The proportion of teenage mothers among the registered pregnancies has shown a marginal decrease but remained around 6 per cent.

Pregnancy outcome and postpartum care

171. PHM reports the pregnancy outcome of the pregnant mothers registered with her for care, and pays a recommended number of follow up visits to ensure the health and wellbeing of the mother and infant.

Table 13
Pregnancy Outcome and Postpartum Care for Mothers Registered during 2008-2012

Indicator	*2008*	*2009*	*2010*	*2011*	*2012*
Pregnancy outcome reported as a % of registered pregnancies	89.1	89.3	88.0	88.7	88.8
Institutional deliveries as a % of total reported deliveries	99.6	99.7	99.8	99.9	99.9
Caesarean sections as a % of total institutional deliveries reported	24.3	25.8	27.0	27.7	28.7
Postpartum mothers receiving at least 1 visit by PHM during 1st 10 days as a % of estimated births	79.4	75.9	75.0	77.4	77.3
LSCS as a % of total reported deliveries	25.8	27.0	27.7	28.7	30.5
Average number of home visits during first 10 postpartum days	1.8	1.8	1.8	1.8	1.7

172. Post-partum care given during these field visits includes, assessment of general health, breastfeeding, signs of post-partum complications and common illnesses, followed by relevant advice and referrals if necessary. Pregnancy outcome was reported for 89.4 per cent of pregnancies registered with PHM. Almost all reported deliveries had taken place in institutions and three out of ten reported deliveries were Caesarean sections. Approximately 77 per cent of mothers were visited at home by PHMs at least once during the first 10 postpartum days and the average number of postpartum home visits was 2 per mother.

173. A greater majority of registered mothers (95 per cent) visited a field antenatal clinic at least once during pregnancy and average field clinic visit per mother was 7. Registered pregnant mothers were visited at least once at home by PHMs and average number of home visits per mother by PHMs was 5.

Maternal Mortality

174. The MMR stands at 33 for 100,000 live births for the year 2010. Sri Lanka has achieved one of the lowest maternal mortality rates in the developing world at a very low cost. Out of the confirmed 134 deaths, the majority (62.7 per cent) were direct maternal deaths. Obstetric haemorrhages, septic abortions and hypertensive disorders were among the leading direct causes of maternal deaths in 2012. Indirect causes accounted for 37.3 per cent of deaths and heart disease complicating pregnancy was the main indirect cause. Intrapartum deaths were minimal (4 per

cent) while the highest number of reported maternal deaths occurred during postpartum period (69.0 per cent), highlighting the importance of concentrating on postpartum interventions to prevent maternal deaths.

Article 13

Equal rights in areas of economic and social life

175. The status remains the same. As reported above, many poverty alleviation and economic empowerment programmes are being implemented for women.

Article 14

Equal rights to benefit from rural development

176. As set out above, many special programmes targeting women have been formulated and are being implemented.

Article 15

Equal rights with re. to legal capacity in civil matters

177. The status remains the same.

Article 16

Equal rights in respect of marriage and family relations

178. The status remains the same.

Conclusion

179. Sri Lanka's women are more visible as a formidable voice in the community and in positions of leadership. Although the numbers in certain areas, such as in the area of *political participation*, may not by itself be impressive, those in key positions have succeeded in surfacing women's issues and have been heard. The objective is to have exemplary women in key positions who are pro-active and highlight issues of concern but at the same time, increase numbers.

180. At the January 2015 Presidential elections, one of the candidates (current President) issued a special Declaration outlining a "New era for women", in which he gave the assurance that steps will be taken to address concerns of women such as the prevention of violence, sexual harassment and abuse of women and children, unemployment, economic relief, concerns of women headed households, of migrant women, of women in the estate sector and of war widows and improving the nutrition of pregnant women. These issues are now being addressed with renewed vigour since the election of the President in January 2015.The fact that a special set of proposals was so issued, is an indication of an acceptance that women in this country matter and that there is a serious commitment to address issues of concern. Women were a formidable component of the electorate that voted at the January 2015 Presidential election. Their presence was seen in large numbers at pre-election meetings and at the poll.

181. Sri Lanka acknowledges and accepts the challenges, before the country in the area of women's issues and remains committed to address issues with international assistance. Sri Lanka will continue in its endeavour to improve many aspects

relating to women notably, effective implementation of laws to combat violence against women including domestic violence, the economic empowerment of rural women, the situation of women headed households, war widows and also increased involvement of women in reconciliation and rehabilitation processes which are vital to the country's sustainable development especially as a nation that has achieved a demographic dividend and a country with a sex ratio favourable to women.